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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/294,656	04/19/1999	MICHAEL J. CUSSON	ORACLE01.001	6372

7590 08/12/2005  
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EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/294,656	CUSSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ella Colbert	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 112-131 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 112-131 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/29/04, 8/09/04, 4/13/05, 4/25/05</u>                                   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Claims 112-131 are pending in this communication filed 05/04/05 entered as Response After Non-Final.
2. The IDS filed October 20, 2004, August 9, 2004, 04/13/05 and 04/25/05 have been considered.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 112, 119 and 124 are rejected under 35 U.S.C. 112, second paragraph.

Claim 112, line 8, recites "... a second database system of the plurality, the request". It is unclear from the claim language what Applicants' mean by "of the plurality". Do Applicants' mean "of the plurality of databases" or "or the plurality of requests"?

Claim 119 recites the limitation "second database" in the last limitation.

Claim 124 has a similar problem. There is insufficient antecedent basis for this limitation in the claim. Applicants' are respectfully request to review all of the independent claims for correction of insufficient antecedent basis.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 112-114, 119, 120, 124, 125, 128, and 131 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,924,096) Draper et al, hereafter Draper in view of Divyesh Jadav and Monish Gupta, hereafter Jadav and Monish.

As per claims 112 and 125, Draper teaches, Apparatus for responding to a request, the request including one or more specifiers referring to one or more objects in a distributed database system that includes a plurality of database systems and the apparatus comprising; a first database system of the plurality (col. 8, lines 1-10 and fig. 6 (602)(606-DB1)). Draper failed to teach a redirector which responds to the request when the request includes a specifier that cannot be interpreted in the first database system by causing the request to be executed at least in part in a second database system of the plurality the request otherwise being executed in the first database system. Jadav and Gupta teach, a redirector which responds to the request when the request includes a specifier that cannot be interpreted in the first database system by causing the request to be executed at least in part in a second database system of the plurality the request otherwise being executed in the first database system (Page 13, col. 2, 4.2 –Page 14, col. 2, line 18, fig. 1 and fig. 4- shows redirection). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a redirector which responds to the request when the request includes a specifier that cannot be interpreted in the first database system by causing the request to be executed at least in part in a second database system of the plurality, the request otherwise being executed in the first database system and to modify in Draper because

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such a modification would allow Draper to serve stored documents locally (rather than in the database), and the database server could be home to specified databases for example employee database, payroll database, etc.

As per claim 125, Draper teaches, a second database system in fig. 6 (604 & 606).

As per claim 113, Draper teaches, The apparatus in accordance with claim 112 wherein: the objects in the first database system include copies of objects contained in at least one other database system belonging to the distributed database system (col. 10, lines 15-41 (line 34 – Distributed database)).

As per claim 114, Draper teaches, The apparatus in accordance with claim 113 wherein: the first database system functions as a cache with regard to the objects whose copies are included therein (col. 8, lines 11-54).

As per claims 115 and 121, Draper teaches, The apparatus in accordance with claim 113 wherein the other database system is the second database system (col. 9, lines 13-32 and fig. 6 (604 and 606)).

As per claims 116 and 121, Draper teaches, The apparatus in accordance with claim 115 wherein: the first database system functions as a cache with regard to the second database system (col. 9, lines 33-53 and fig. 6 (606 –system A & B)).

As per claims 117 and 126, Draper teaches, The apparatus in accordance with any one of claims 112 through 116 wherein: the apparatus is local to a server of the type that provides a program executing in the server with a standard interface for

querying databases; and the requests include queries received via the standard interface (col. 4, line 4 –col. 5, line 11).

As per claims 118, 123, 127, and 130, Draper failed to teach, The apparatus in accordance with claim 117 wherein: the server obeys the hypertext transfer protocol (http) and the program is a Web application program. Jadav and Gupta teach, the server obeys the hypertext transfer protocol (http) and the program is a Web application program (page 12, paragraph 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the server obey the hypertext transfer protocol (http) and the program is a Web application program and to modify in Draper in view of Draper's teachings of an Internet, programming, and servers and because such a modification would allow Draper to have Web access to simulate the effectiveness of caching documents (objects) retrieved by the HTTP using WWW browsers.

As per claims 119 and 124, Draper teaches, A method of responding to a request the request including one or more specifiers that refer to one or more objects in a distributed database system that includes a plurality of database systems and the method comprising the steps of: receiving the request in a first database system of the plurality of database systems (col. 7, line 59-col. 8, line 10). Draper failed to teach, determining whether the request includes a specifier that cannot be interpreted in the first database system of the plurality of database systems; and when the request includes such a specifier, causing the request to be executed at least in part in a second database system of the plurality of database systems. Jadava and Gupta teach,

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determining whether the request includes a specifier that cannot be interpreted in the first database system of the plurality of database systems; and when the request includes such a specifier, causing the request to be executed at least in part in a second database system of the plurality of database systems (Page 14, col. 2, paragraph 3- page 15, col. 1, line 29- page 16, col. 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to determine whether the request includes a specifier that cannot be interpreted in the first database system of the plurality of database systems; and when the request includes such a specifier, causing the request to be executed at least in part in a second database system of the plurality of database systems and to modify in Draper because such a modification would allow Draper to serve stored documents locally (rather than in the database), and the database server could be home to specified databases for example employee database, payroll database, etc.

As per claim 121, this dependent claim is rejected for the similar rationale as given above for claims 115 and 116.

As per claim 122, this dependent claim is rejected for the similar rationale as given for claim 117.

As per claim 124. A memory device characterized in that the memory device contains code which, when executed in a processor (col. 4, lines 51-65) performs the steps of claim 124.

As per claim 128, this independent claim is rejected for the similar rationale as given above for claims 112 and 125

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As per claim 129, this dependent claim is rejected for the similar rationale as given above for claims 117, 127, and 126.

As per claim 131, this independent claim is rejected for the similar rationale as given above for claims 124 and 128.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Mattis et al (US 6,128,627) disclosed data storage in an object cache.

Hassett et al (Us 6,173,311) disclosed load balancing servers to provide efficient servicing for clients.

Heddaya et al (US 6,205,481) disclosed distributing content among cache servers.

### **Inquiries**

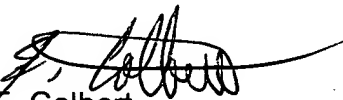
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday-Thursday, 6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E. Colbert  
August 3, 2005